

through the length of the tubular support as is certainly clear from reading the specification and drawings.

The Examiner has equated the single tie rope 70 of Cortner to the two tie ropes claimed in the present application. Cortner shows only a single rope not two ropes as claimed, each of which extends to the length of the tubular support in opposite direction to the second tie rope. The Examiner has magically transformed the single tie rope 70 of the Cortner reference into two tie ropes when in fact only a single rope is disclosed by the reference. The fact that the present applicant's invention in claim 3 states that the first and second ropes can comprise one continuous length does not trump the limitation in the independent claim which clearly specifies two ropes. There still must be two ropes passing through the tubular support. The two ropes can be joined together and form one continuous length by the connecting link 32 shown in FIG. 3 of the present applicant's drawing, but this does not remove the clear limitation which specifies a first tie rope which extends through the length of the tubular support in one direction and a second tie rope which extends through the length of the tubular support in the opposite direction. If the Examiner wants to create two halves out of the single rope disclosed in the Cortner reference, which is not what Cortner teaches, neither of these half ropes extends through the length of the tubular support as called for by the present applicant's claims.

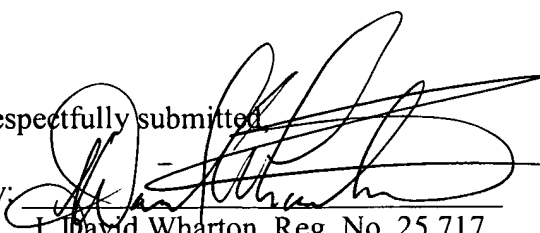
Furthermore, the Cortner reference does not disclose any tie rope being secured to and extending at least partially along a first side of the bag. The stitching 92 and 94 of the Cortner reference (FIG. 10) does indeed cross the rope, but the rope 70 does not extend along a first side of the bag as required by all of the claims of the present application.

In summary, applicant's claims distinguish over the Cortner reference in the following respects:

- Cortner discloses a single rope passing through the loop at the top of the bag. All of the present applicant's claims require two ropes.
- Cortner teaches passing the single rope through the loop at the top of the bag but does not teach extending the rope along the sides of the bag. Applicant's claims specify that both the first and second ropes extend at least partially along the side of the bag and that same be secured to the side of the bag.
- There is certainly no basis for an obviousness rejection since neither of the references taken individually or in combination suggest the use of two ropes extending in opposite directions through a tubular support. In fact, both references teach to the contrary namely, that a single rope is the proper way to secure the bag.
- It is certainly not proper for an Examiner to transform the prior art into something other than what is clearly shown in the reference. Cortner discloses a single rope passing through the support loop; not two. Dividing one rope in two creates halves; not two ropes as claimed. The claimed invention is both novel and non-obvious. The final rejection should be withdrawn.

Respectfully submitted,

By:


J. David Wharton, Reg. No. 25,717
STINSON MORRISON HECKER LLP
1201 Walnut, Suite 2800
Kansas City, MO 64106-2150
Telephone: (816) 842-8600
Facsimile: (816) 691-3495